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NOAA Fisheries Proposes to List Puget Sound Killer Whales under the ESA

The National Marine Fisheries Service (NOAA Fisheries) announced today that it is proposing to list a population of killer whales as “threatened” under the Endangered Species Act. These whales, known as the Southern Resident population, spend several months each year in Washington State’s Puget Sound.

The proposed listing will provide ample time for public comment, and NOAA Fisheries will host public meetings to discuss the proposed listing. The listing could become final a year from now.

NOAA Fisheries, an agency of the Commerce Department’s National Oceanic and Atmospheric Administration (NOAA), is one of the federal agencies responsible for protecting marine mammals under the Marine Mammal Protection Act (MMPA) and recovering species from the brink of extinction when listed under the Endangered Species Act (ESA).

“Our recovery efforts are already under way for these killer whales,” said Bob Lohn, head of the NOAA Fisheries northwest regional office. “We’ve had workshops and consulted with experts on development of a conservation plan, essentially identical to the recovery plan that an ESA listing would require.” A draft of the conservation plan is expected to be available for public review by February.

That conservation planning resulted from NOAA Fisheries’ designation of the Southern Residents as “depleted” under the MMPA in May 2003. The agency had received a petition to list the whales under the ESA, but decided in 2002 that listing was not warranted. NOAA scientists completed a comprehensive review of the whales, but because of the way scientists classify all killer whales as a single world-wide species, the Southern Resident population didn’t meet the criterion of biological “significance” under the ESA.

However, NOAA Fisheries recognized that these animals were in trouble. The population peaked at 97 animals and then declined to 79 in 2001. It currently stands at 84 whales. The count doesn’t include two calves born to the group this year. They will be officially included if they show up in the 2005 census.

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The Marine Mammal Protection Act provides significant safeguards for whales, and the depleted designation last year added development of a conservation strategy to restore the population to healthy numbers.

Meanwhile, NOAA Fisheries' "not warranted" finding was challenged in court and the court told the agency to reconsider its ESA decision.

"Because we were faced with biological uncertainties about how killer whales are scientifically categorized, we said in our 2002 status review findings that we'd conduct additional research and revisit our conclusions in four years," Lohn said. "The court order that we're responding to today simply compressed that schedule."

Although researchers have collected more than 30 years of information on the Southern Residents, there are major gaps in knowledge, such as where they go when they're not in local waters. Because killer whales can live for 80 to 90 years in the wild, 30 years of data don't cover even one full life span for older animals

"It's vital that we continue to gather and analyze information on our region's orcas. We're very appreciative of the Washington Congressional delegation's efforts to provide funding for killer whale research and conservation. It's that kind of support that will allow us to continue working to improve the health of these animals," Lohn stated.

Another effort contributing to restoring these killer whales is through the Puget Sound Shared Strategy, a regional coalition aimed at restoring salmon in Puget Sound. Since salmon are one of the killer whales' main food sources, increasing salmon numbers and quality is a major step toward increasing orca numbers and vigor.

"NOAA Fisheries also appreciates the Puget Sound Action Team's efforts, which was initiated by Washington State to protect the health of the sound," Lohn added, referring to the state's partnership for Puget Sound that coordinates and puts into action the state's environmental agenda for Puget Sound.

The proposed listing determination will be published in the *Federal Register* next week and will be open for public comment for 90 days. Two public meetings are scheduled to allow interested parties to present their views: in Seattle Feb. 17 and at Friday Harbor Feb. 28.

NOAA's National Marine Fisheries Service is dedicated to protecting and preserving our nation's living marine resources and their habitat through scientific research, management and enforcement. NOAA Fisheries provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public.

NOAA is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation's coastal and marine resources.